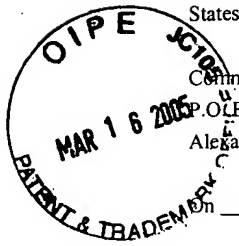


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PATENT
Attorney Docket No.: 023070-136520US
Client Ref. No.: 99-112-3



14 March 2005

TOWNSEND and TOWNSEND and CREW LLP

By:

Malinda Adasit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HONG-JUNG SONG *et al.*

Application No.: 10/090,095

Filed: February 28, 2002

For: PROMOTERS OF NEURAL
REGENERATION

Customer No.: 20350

Confirmation No.

Examiner: San-ming Hui

Group Art Unit: 1617

RESPONSE TO RESTRICTION
REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is in response to the Office Action mailed December 14, 2004.

Enclosed herewith is a petition with fee authorization for a two-month extension of time.

In response to the restriction requirement, Applicants elect Group III, claims 8-12, drawn to a method of promoting CNS neuron growth by employing derivatives of cAMP.

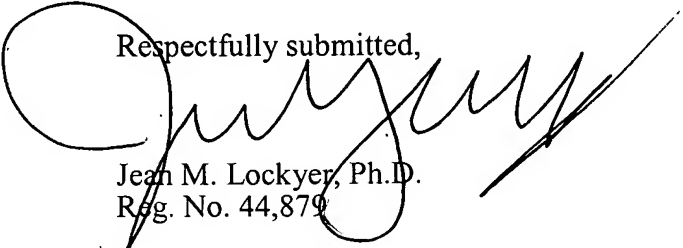
The foregoing election is made with traverse. as the groups set forth by the Examiner all stem from a common concept and theory, and are thus related. As such, prosecution of the claims of the groups together would not place a substantially greater burden on the Examiner.

In particular, the Examiner contends that the compounds in the Groups have no common core structure and are categorized in different classes and subclasses. However, this is not true of all of the groups. For example, Group IV claims recite derivatives of cAMP, as do the claims of Group III. Furthermore, Groups III and IV are categorized in the same class and subclass. Accordingly, a search of the subject matter of Group III claims would also identify claims of Group IV.

According to the MPEP, where claims can be examined together without undue burden, the Examiner must examine the claims on the merits even though they are directed to independent and distinct inventions. See, the MPEP at § 803.01. In establishing that an "undue burden" would exist for co-examination of claims, the Examiner must show that examination of the claims would involve substantially different prior art searches, making the co-examination burdensome. Here, searching Group III and Group IV claims together does not involve substantially different prior art searches. Applicants therefore request, at a minimum, that the Examiner rejoin Group IV with Group III.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


Jean M. Lockyer, Ph.D.
Reg. No. 44,879

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Attachments
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